

**IC 12-14**

**ARTICLE 14. FAMILY ASSISTANCE SERVICES**

**IC 12-14-1**

Chapter 1. Aid to Families With Dependent Children; Eligibility and Application for Assistance

**IC 12-14-1-1**

**Eligibility**

Sec. 1. (a) Assistance under AFDC shall be given to a dependent child who otherwise qualifies for assistance if the child is living in a family home of a person who is:

- (1) at least eighteen (18) years of age; and
- (2) the child's relative, including:
  - (A) the child's mother, father, stepmother, stepfather, grandmother, or grandfather; or
  - (B) a relative not listed in clause (A) who has custody of the child under a court order.

(b) A parent or relative and a dependent child of the parent or relative are not eligible for AFDC assistance when the physical custody of the dependent child was obtained for the purpose of establishing AFDC eligibility.

(c) A person convicted of an offense under IC 35-43-5-7 or IC 35-48-4 is not eligible to receive assistance under AFDC for the following periods:

- (1) If the conviction is for a misdemeanor, the person is not eligible to receive assistance under AFDC for one (1) year after the conviction.
- (2) If the conviction is for a felony, the person is not eligible to receive assistance under AFDC for ten (10) years after the conviction.

(d) The assistance paid to a dependent child under this section may not be affected by the conviction of a parent or an essential person of the dependent child under subsection (c).

*As added by P.L.2-1992, SEC.8. Amended by P.L.46-1995, SEC.9.*

**IC 12-14-1-1.5**

**Qualifications for eligible dependent child to receive assistance**

Sec. 1.5. (a) This section does not apply if the:

- (1) dependent child does not have a living parent or legal guardian;
- (2) whereabouts of the dependent child's parent or legal guardian are unknown;
- (3) dependent child is at least eighteen (18) years of age;
- (4) dependent child has received a high school diploma or a high school equivalency certificate (as defined in IC 12-14-5-2);
- (5) dependent child provides proof, and the division agrees, that the physical health or safety of the dependent child or a child of the dependent child would be jeopardized if the dependent child or a child of the dependent child resides with the dependent

child's parent, legal guardian, or adult relative; or  
(6) dependent child is less than eighteen (18) years of age and is not married, but the dependent child or a child of the dependent child:

(A) has been alleged or adjudicated a child in need of services under IC 31-34 (or IC 31-6 before its repeal); or

(B) has been placed under the wardship or guardianship of the county office.

(b) Except as provided in subsection (d), a dependent child who is less than eighteen (18) years of age and is:

(1) not married; or

(2) married but not residing with or receiving support from a spouse;

is entitled to assistance under AFDC only if the dependent child and any children of the dependent child reside with a parent, a legal guardian, or an adult relative other than a parent or legal guardian of the dependent child. A legal guardian or an adult relative not listed in section 1(a)(2)(A) of this chapter must have custody of the child under a court order.

(c) The assistance for an eligible dependent child and each child of an eligible dependent child as described in subsection (b) shall be provided to the dependent child's parent, legal guardian, or other adult relative based on the eligibility of the parent, legal guardian, or other adult relative to receive assistance under AFDC.

(d) This subsection applies to the parent of:

(1) a dependent child who has never married and who:

(A) has a child; or

(B) is pregnant; and

(2) a dependent child who has never married and is adjudicated to be the father of a child.

The parent of a dependent child described in subdivision (1) or (2) is financially responsible for the care of a child of the dependent child until the dependent child becomes eighteen (18) years of age.  
*As added by P.L.46-1995, SEC.10. Amended by P.L.1-1997, SEC.56.*

## **IC 12-14-1-2**

### **Application; residence of child**

Sec. 2. An application for a dependent child under this article must be made to the county office of the county where the dependent child resides.

*As added by P.L.2-1992, SEC.8. Amended by P.L.4-1993, SEC.64; P.L.5-1993, SEC.77.*

## **IC 12-14-1-3**

### **Application; form; oath; required information; notice of assignment of rights**

Sec. 3. An application must meet the following conditions:

(1) Be in writing.

(2) Be made in the manner and upon the form required by the division.

(3) Be made and verified by the oath of the parent or guardian of the dependent child or another person standing in loco parentis to the dependent child.

(4) Contain the age and residence of the child and any information required by rules adopted under IC 4-22-2 by the director of the division.

(5) Contain a notice that, if the application is approved and assistance is granted, the applicant's signature on the application assigns the applicant's right to:

(A) accrued;

(B) present; and

(C) pending;

support payments to the agency of the state responsible for administering Title IV-D of the federal Social Security Act.

*As added by P.L.2-1992, SEC.8.*

#### **IC 12-14-1-4**

##### **Single application made for more than one child**

Sec. 4. One (1) application may be made for more than one (1) child of the same family if the children reside with the same person.

*As added by P.L.2-1992, SEC.8.*

#### **IC 12-14-1-5**

##### **Signature as assignment for purposes of IC 12-14-7**

Sec. 5. An applicant's signature on an approved application is an assignment for purposes of IC 12-14-7.

*As added by P.L.2-1992, SEC.8.*

#### **IC 12-14-1-6**

##### **Investigations**

Sec. 6. (a) Whenever the county office receives:

(1) notification of the dependency of a child; or

(2) an application for assistance;

an investigation and record shall promptly be made of the circumstances of the child to determine the dependency of the child, the facts supporting the application made under this article, and other information required by rules adopted under IC 4-22-2 by the director of the division.

(b) The investigation may include a visit to the home of the child and the person who will have the custody of the child during the time assistance is granted.

*As added by P.L.2-1992, SEC.8. Amended by P.L.4-1993, SEC.65; P.L.5-1993, SEC.78.*